

# **REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL**

**APRIL 18, 2016**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**6:45 P.M.**

## **OPEN FORUM**

### **Appointment to Planning Board**

**Planning Board members Dinna Finnegan and Dean Naylor objected to the appointment of the second alternate to the Planning Board questioning why the application process was different for this person than it had been for others.**

**Mr. Soly, who made the nomination, noted the position has been vacant for quite some time, that the applicant is a business owner and licensed general contractor and that he had sent letters of interest to Council members but not to the Town Clerk.**

**It was brought up by both Mr. Naylor and Town Planner Robert Ericson that this person has a history of zoning violations so how could he be**

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**a part of this board if he does not follow regulations or ordinances. Mr. Ericson suggested reconsideration of the vote.**

**Gold Forest Property**

**Mr. Michael Clifford asked the Council to consider other alternatives for use of the DEM grant money, such as for road improvements. He also asked that if the town does move forward with the purchase of this property, that a fair appraisal be done on it.**

#### **Appointment to Planning Board**

**Mr. Clifford agreed that a standard for appointments to boards should be applied.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on an aye vote to extend the open forum.**

**Mr. Michael Fournier, who is the appointee to the Planning Board, stated a year ago he received a letter that he had too many trucks on his property. Once he saw the ordinance, he moved his trucks and business out of town.**

#### **Cumberland/Woonsocket Water Line**

**Council President Boucher noted that it recently came to light that a two-acre parcel of land that is taxed on a value of \$13,000 is being purchased through the City of Woonsocket enterprise fund for \$100,000. There is an easement for the Algonquin Gas Company that runs through this parcel. He questions why the City did not just buy the easement for a few thousand dollars because this purchase will affect the water ratepayers in North Smithfield.**

## **REGULAR MEETING**

The meeting began at 7:14 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mrs. Nadeau, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Also in attendance was Town Solicitor Igliozi. Town Administrator Hamilton did not attend due to her being on medical leave.

## **PARE REPORT RE: POSTED SIGNS**

Since Mr. Shevlin was unable to attend this evening, MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to continue this matter to May 2, 2016.

## **EXECUTIVE SESSION**

MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to enter into executive session at 7:16 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation to discuss contract negotiation with Pare Corporation regarding the road bond and pursuant to RIGL 42-46-5(A)(1) Any discussions of the job performance, character, physical or mental health of a person or persons provided that such person or persons affected may require that such discussion be held at an open meeting.

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to come out of executive session regarding 42-46-5(A)(2) at 8:20 P.M. and to seal the minutes. No

**motions were made and no votes were taken.**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, Ms. Alves and Mrs. Nadeau, and voted unanimously on a roll call vote to come out of executive session regarding 42-46-5(A)(1) at 8:21 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**CONTRACT WITH PARE CORPORATION RE: ROAD IMPROVEMENTS**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to have the hours/fees to complete Phase I Design come from the hours/fees listed under Phase II Construction Services of the original design contract. Total fees shall not exceed \$3,000.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to authorize the Acting Town Administrator to sign Pare Corporation's Contract Amendment No. 1 upon review and approval by the Public Building Improvement Commission. Contract Amendment No. 1 shall not exceed \$7,575.**

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**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to have the contract documents for the road improvement bond advertised for construction bids in the Providence Journal, The Call, and the Valley Breeze pending review and approval of the Public Building Improvement Commission.**

## **MATTRESS RECYCLING PROGRAM**

**MOTION by Ms. Alves, seconded by Mr. Soly, and voted unanimously on an aye vote to move this item up next on the agenda.**

**Recycling Co-Ordinator Donna Kaehler requested that the highway barn be designated as a site for the mattress recycling container. Regulations have changed and mattresses may now be dropped off at the Department of Public Works.**

**MOTION by Mrs. Nadeau, seconded by Ms. Alves, and voted unanimously on a roll call vote to register to become an MRC Collection Site and to authorize the Acting Town Administrator to sign the agreement.**

## **GOLD FOREST PROPERTY**

**Mr. Zwolenski noted that a few years ago a grant had been written by a former Town Planner and he thought the information could be taken from that grant to submit a new application.**

**Mr. Zwolenski asked, if by purchasing, would this help the town with MS4 or would we be liable for high fecal coliform.**

**Mr. Ericson responded that there would have to be a plan in the town's program with the state. It would help but it's not a reason alone to buy it.**

**The last time appraisals were done, they got convoluted because of mineral rights. The town would not be buying this property for its mineral rights but for open space. Mr. Ericson noted that he couldn't say an appraisal wouldn't factor in mineral rights.**

**Mr. Michael Rapko commented that the lots that were taken off the table would have provided good access to Lot 218. However, there is a lot of tall grass and wetlands on this property that become a tick-infested area causing liability to the town. Upkeep of the land becomes a problem as well.**

**Mr. Zwolenski asked if Tax Assessor David Dolce could provide some type of report on the property.**

**There was a lengthy discussion about hiring a grant writer.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to reconsider the vote regarding the appraisal of the Gold Forest property.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to rescind the vote on the appraisal of the Gold Forest property.**

**RI RENEWABLE ENERGY FUND AWARD OF GRANT**

**The Rhode Island Commerce Corporation has awarded the Town of North Smithfield a grant of \$250,000 as part of the Renewable Energy Fund's 2015 Commercial Scale Grant Program. The grant will become available once the solar array installation at Pound Hill Road and Oxford Road is completed and can be used for solar or energy projects.**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to authorize the Acting Town Administrator to sign the agreement.**

## **CONSENT AGENDA**

### **Payment of Bills**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve payment of the following based on the recommendations of the Town Administrator and the Finance Director: General Fund - \$814,022.17; Sewer - \$534,997.59; Water - \$61,170.35;**

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**Library - \$34,094.42; School Department - \$1,553,518.58; and Fire Department - \$214,090.00 for a total of \$3,211,893.11.**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to accept and place on file the**

**following: 1.) Town Council minutes of February 1 and 16 & March 18, 2016; 2.) Quarterly Finance Report for March 2016; 3.) Conservation Commission minutes of March 8, 2016; 4.) NS Municipal Court monthly report for March 2016; 5.) NSPD monthly report for March 2016; 6.) NSF&RS Inc. monthly report for March 2016; 7.) Animal Control monthly report for March 2016; 8.) DEM Wetlands application for Plat 7, Lot 113 - W. Quigley; 9.) Resolution Re: Restoring Funding for State Aid to Libraries from the Town of Burrillville; and 10.) Resolution Re: Statistical Property Evaluations from the Town of Narragansett.**

#### **Minutes of March 7, 2016**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to amend the third paragraph under “Old Tifft Road Blockade Issue” to read “Mr. Igliazzi does not advise that the Town should get involved in a court matter.”**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to amend the first paragraph under “Water Cistern Placement” to read “Chief Jillson explained that a large corporation has committed to funding the cost of a water cistern but wishes to remain anonymous.”**

#### **Minutes of March 10, 2016**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to amend the second paragraph to**



read “Mr. Zwolenski was unable to attend due to a work commitment.”

**MOTION** by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to approve the minutes of March 7 and March 10, 2016 as amended.

#### **PUBLIC BUILDING IMPROVEMENT COMMITTEE**

Mrs. Nadeau had no update.

#### **FINANCE DIRECTOR’S SALARY**

Mr. Parmelee stated this had already been handled.

#### **VIRTUAL TOWNS AND SCHOOLS PROPOSAL FOR WEB SITE IMPROVEMENT**

This is a new website that will produce enterable pdf forms online and can integrate payments online. The website fee is about \$7,500 and the maintenance cost is the same as what the town pays now, about \$2,000, but from which the town gets no servicing, just housing.

**MOTION** by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to move forward with this agreement and authorize the Acting Town Administrator to enter into the contract with Virtual Towns and Schools.

#### **CENTRAL DISPATCH**

**A letter was submitted by Town Administrator Paulette Hamilton. She had met with Police Chief Steven Reynolds and Fire Chief Joel Jillson to discuss the possibility of implementing a central dispatch.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to request the Public Safety Commission, through the Acting Town Administrator, to review the proposal to establish a central dispatch and to extend the invitation to the North Smithfield Fire Department if they want to join in.**

**ACCESS TO TOWN PROPERTY AT 0 BLACK PLAIN ROAD FOR WATER TESTING**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to grant access to Woodard & Curran to a portion of Map 7, Lot 119 for surface water and sediment sample collection, surveying, and wetlands delineation.**

**APPLICATION FOR FINANCING SCHOOL HOUSING BONDS**

**MOTION by Mr. Boucher, seconded by Mr. Soly, and voted unanimously on a roll call vote to move forward with the application to refinance the**

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**Middle School bond and to authorize the Acting Town Administrator to sign the document.**

## **ABATEMENTS**

**MOTION by Mr. Soly, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve an abatement for Sam's Food Service dated April 4, 2016 in the amount of \$779.86 and abatements dated April 18,**

**2016 for Normand G. Vadenais in the amount of \$31.94 and for Jeanne V. Legare Trust in the amount of \$545.50.**

## **AWARD OF BID HIGH SCHOOL DIVERTING VALVE**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau and Mr. Soly, and voted unanimously on a roll call vote to award the bid to Advanced Comfort Systems, Inc. for the amount of \$3,900.00.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote at 10:00 P.M. to extend the meeting to 10:30 P.M.**

## **RESOLUTION AMENDING CREATION OF THE AD HOC ORDINANCE REVIEW COMMITTEE**

**The amendment to this resolution is to decrease the membership to seven.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau and Mr. Boucher, and voted unanimously on a roll call vote to adopt the resolution as amended.**

**RESIGNATION FROM CONSERVATION COMMISSION - Mr. Piette**  
**MOTION** by Mrs. Nadeau, seconded by Mr. Boucher and Mr. Zwolenski, and voted unanimously on an aye vote to accept the resignation of Eric Piette and to send him a letter of thanks.

**RESIGNATION FROM HISTORIC DISTRICT COMMISSION - Mr. Piette**  
**MOTION** by Mrs. Nadeau, seconded by Mr. Boucher and Mr. Zwolenski, and voted unanimously on an aye vote to accept the resignation of Eric Piette and to send him a letter of thanks.

**APPOINTMENTS TO CHARTER REVIEW COMMISSION**

**MOTION** by Mrs. Nadeau to table this to May 2, 2016. There was no second.

**MOTION** by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to appoint Paul Vadenais.

**MOTION** by Mrs. Nadeau, seconded by Mr. Soly, and voted unanimously on a roll call vote to appoint Dinna Finnegan.

**MOTION** by Ms. Alves, seconded by Mr. Boucher, and voted 4 to 1 on a roll call vote (Mrs. Nadeau voted no) to appoint Anthony Guertin.

**MOTION** by Mr. Soly, seconded by Mr. Boucher, and voted unanimously on a roll call vote to appoint Margaret Votta.

**MOTION by Mr. Soly, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to appoint Carol Drainville.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted 3 to 2 on a roll call vote (Ms. Alves and Mrs. Nadeau voted no) to appoint Larry Forte.**

**MOTION by Mr. Soly to appoint Francesca Johannis. There was no second.**

#### **RESOLUTION RE: GREEN ECONOMY BOND**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski and Mr. Soly, and voted unanimously on a roll call vote to adopt the following resolution: “WHEREAS, State partnership programs to help municipalities protect their special places and farmland, develop parks, establish bike paths, and remediate/redevelop contaminated brownfields sites have long been effective in helping North Smithfield make important economic and quality of life investments in our community’s future; and WHEREAS, the Comprehensive Community Plan for**

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**the Town of North Smithfield documents the Town’s objectives for open space protection, parks and outdoor recreation facilities, transportation infrastructure, stormwater management and flood**

prevention; and WHEREAS, Investments in land conservation, parks and bike paths are fundamental to North Smithfield quality of life, strengthen our communities, and enhance the health of our community's residents; and WHEREAS, Protecting the remaining farmland in North Smithfield is critical to providing health, locally grown food for our

residents and retaining the character of our community; and WHEREAS, Completing the state's network of bike paths will: enhance connections between communities, workplaces and parks; promote health and fitness; and increase the State's appeal as a tourist and outdoor recreation destination expanding this sector of our economy; and WHEREAS, Our community needs to leverage public and private resources to improve stormwater management and better protect the waters of our rivers, lakes, ponds, drinking water reservoirs and to prevent and manage flooding; and WHEREAS, Funding for remediation and redevelopment of brownfield sites in our community will create jobs, protect public health, and help us to revitalize our urban/town/village centers by transforming liabilities and underused or abandoned properties into productive places generating increased local tax revenue; and WHEREAS, The citizens of the Town of North Smithfield overwhelmingly voted in November 2012 to approve the Farmland, Open Space Conservation, Parks and Bay Restoration Bond; and in November 2014 overwhelmingly voted to approve the Clean Water Open Space and Healthy Communities Bond; and WHEREAS, Municipal projects financed in part with past state Open Space and Recreation Bond funds have enabled the Town

to implement our adopted Comprehensive Community Plan, preserve our community character and enhance our quality of life by protecting the special places and improving parks and outdoor recreation facilities in our community; and WHEREAS, The Governor's fiscal year 2017 budget proposed a \$35 million Green Economy Bond for open space protection, parks and bikeway development, stormwater management and brownfield restoration programs. THEREFORE BE IT RESOLVED: that the Town Council of the Town of North Smithfield respectfully requests that the Rhode Island General Assembly include an authorization in the State Fiscal 2017 Budget for the \$35 million Green Economy Bond referendum proposed by Governor Raimondo for voter consideration at the November 2016 General Election."

#### **SCHEDULING PUBLIC HEARING DATE FOR NORTH SMITHFIELD TEACHER CONTRACT**

**MOTION** by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to have the Budget Committee present its fiscal impact statement on May 2, 2016 and to hold the public hearing on May 16, 2016.

#### **AGREEMENT WITH ACS FOR LAND EVIDENCE RECORDS**

**MOTION** by Mr. Boucher, seconded by Mr. Soly and Mrs. Nadeau, and voted unanimously on a roll call vote to renew the agreement with ACS at a cost of \$4.85 per recording and a cost of \$1.50 per roll for film storage and to authorize the Acting Town Administrator to sign.

**CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR  
RIDEM RIPDES SMALL MS4 OUTFILL ANNUAL REPORTS**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to continue this to the meeting of May 2, 2016.**

**WOONSOCKET/CUMBERLAND WATER CONNECTION**

**Mr. Boucher explained this matter will affect the ratepayers in North Smithfield. There is a two-acre landlocked parcel of land that has the Algonquin pipeline running through it. The City of Woonsocket is looking to purchase the property at a cost of \$100,000 and Mr. Boucher believes an easement would have been much more effective for all the ratepayers. The land is valued at \$13,000. Mr. Boucher would like to get the PUC, the IRS, the Attorney General's Office and the Rhode Island Department of Revenue involved in investigating this.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, Mrs. Nadeau, Mr. Soly and Mr. Boucher, and voted unanimously on an aye vote to adjourn at 10:27 P.M.**

**Respectfully submitted,**